

State of Texas
House of Representatives



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October 12, 2009

Federal Communications Commission
Chairman Julius Genachowski
RE: Broadband Industry Practices (WC Docket No. 07-52)
445 12th St., S.W.
Washington, D.C. 20554

Dear Chairman Genachowski:

I represent a large, rural district in West Texas, comprising 39,000 square miles. Broadband options like DSL and cable service are typically available only in the larger cities. For most of my constituents, the only option for faster internet speeds is satellite.

National policy, as described by President Obama, is to get broadband to every citizen in the country. I absolutely support this goal. Broadband is essential. I encourage the federal government's efforts to expand broadband availability.

While I have fought to enact state incentives toward more broadband deployment, the economic reality is that the telephone and cable companies cannot get sufficient return on their investment to bring their wireline broadband to every residence and business in the district I represent. The future of broadband telecommunications is wireless.

I am concerned the FCC is now pursuing a public policy that will deny rural areas the expanded broadband availability we need. By adopting regulations on the provisioning of the internet, particularly over wireless networks, the FCC may reverse years of increased access to broadband services.

As a legislator, I am often asked to enact laws to address problems, right wrongs, and correct potential negative effects of business activity. This often involves weighing competing interests and determining which course results in the most good to the public. In this case, I believe the analysis needs to focus first on whether the problem actually needs solving.

Chairman Genachowski

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I've watched with interest as the FCC has handled various individual actions taken by network owners, such as Comcast's decision to degrade file sharing traffic, which appear to violate "net neutrality" principles. This process has typically resolved these issues without the need for complicated regulations.

As far as wireless networks are concerned, the FCC has typically taken a very light touch, and the result has been the rapidly expanding availability of voice and data services across an ever greater portion of the country and an explosion of competitive choices. I am not sure there is a problem that requires corrective regulations, especially in light of the FCC's current ability to investigate any perceived harms.

I'd ask the FCC to tread cautiously on net neutrality and first determine the extent of the harm it is trying to fix. I fear that any regulations placed on the wireless platform, whether for net neutrality or any other perceived benefit, will have the unintended consequence of slowing broadband expansion and denying the benefits of high-speed internet access to the businesses and people I represent.

I believe the FCC would better serve the public interest by promoting the expansion of broadband, especially through wireless platforms, as wireless is the best hope of getting broadband to the rural residents of Southwest Texas.

Again, thank you for your consideration. If I can be of further service, please do not hesitate to contact me.

Sincerely,



Pete P. Gallego

cc: Commissioner Michael J. Copps
Commissioner Robert McDowell
Commissioner Mignon Clyburn
Commissioner Meredith Attwell Baker

Mr. Chairman —
The district I represent is about 500 miles from 1 side to the other — lots of small towns. Please keep us in mind as you all adopt rules.
